

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the subject application. The final Office Action of October 21, 2003 has been received and contents carefully reviewed.

By this Amendment, Applicants add new claims 29-31. Accordingly, claims 1-31 are currently pending in this application. Claims 16-28 have been allowed. Reexamination and reconsideration of the application are respectfully requested.

The Examiner rejected claims 1-15 under 35 U.S.C. § 103(a) as being unpatentable over Hirano (U.S. Patent No. 6,292,241) in view of Nakamura et al. (U.S. Patent No. 5,691,791). Applicants respectfully traverse this rejection.

Claim 1 is allowable over the cited references in that claim 1 recites a combination of elements including, for example, “dry-etching a surface of the passivation layer with a gas *without using a photo mask* such that the surface is embossed and has a plurality of random uneven portions...” [emphasis added] None of the cited references, singly or in combination, teaches or suggests at least this feature of the claimed invention. Accordingly, Applicants respectfully submit that claim 1 and claims 2-10, which depend therefrom, are allowable over the cited references.

Applicants respectfully submit that to establish a prima facie case of obviousness under 35 U.S.C. § 103, the prior art references when combined must at least teach or suggest all the claim elements. Applicants respectfully submit that neither the uneven surface of Fig. 1 in Hirano nor the phrase in Nakamura et al., “the reflectors were formed by patterning a photosensitive resin or by dry etching”, in and of themselves, teaches or suggests the feature of claim 1 recited above.

Applicants respectfully submit that only certain combinations of a material and a mixture of gas in a dry-etching method can produce an embossed surface that can be used for a reflective electrode without using a photo-mask. As described in the Specification, the concave portions of the reflective electrodes were generally formed by dry-etching the passivation layer with a mask. See Fig. 4 and paragraphs [0021] and [0023] of the present application. Accordingly, Applicants respectfully submit that the Examiner’s conclusion (“it would have been obvious... to perform

dry etching without a mask.” See Office Action on page 3) is based on a hindsight reconstruction of the present invention, which is impermissible.


Claim 11 is allowable over the cited references in that claim 11 recites a combination of elements including, for example “a passivation layer on the data line, source electrode, and drain electrode, an entire surface of the passivation layer being embossed by a dry etching and having a plurality of random uneven portions; and an embossed reflective electrode on the passivation layer.” None of the cited references, singly or in combination, teaches or suggests at least this feature of the claimed invention. Accordingly, Applicants submit that claim 11 and claims 12-15, which depend therefrom, are allowable over the cited references.

Applicants believe the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited. If the Examiner deems that a telephone conference would further the prosecution of this application, the Examiner is invited to call the undersigned attorney at the telephone number (202) 496 - 7500. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

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Respectfully submitted,


By Rebecca Goldman Rudich
Registration No.: 41,786
MCKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorney for Applicant